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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
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480140.442C1

In re Application of: Donald S. Karanewsky et al.

Application No. 09/765,105

Filed: January 16, 2001

For: C-TERMINAL MODIFIED OXAMYL DIPEPTIDES AS INHIBITORS OF THE ICE/CED-3
FAMILY OF CYSTEINE PROTEASES

The owner, Idun Pharmaceuticals, Inc. of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. **6,197,750 B1**. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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Signature

May 5, 2004

Date

Emily W. Wagner

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